

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-20861 of 2015

Date of decision: 09.10.2015

Dr. Arindam Kant Bannerjee & others

-----Petitioner (s)

V/s

State of Punjab & another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Harjinder Singh, Advocate for the petitioner(s).

Mr. P.S. Madahar, AAG, Punjab.

HARI PAL VERMA, J.

Prayer made in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.185 dated 10.10.2010, under Sections 447/448/380/506/120-B/452 IPC, registered at Police Station Raikot, District Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom on the basis of compromise dated 01.11.2014 (Annexure P-2).

This Court vide order dated 01.07.2015 had directed the parties to appear before the trial Court on 17.07.2015 to get their statements recorded with regard to the compromise and the trial Court was directed to submit its report with regard to genuineness of the compromise.

Pursuant to the aforesaid order dated 17.07.2015, the parties appeared before Civil Judge (Junior Division)-cum Judicial Magistrate Ist Class, Jagraon and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 05.10.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise without any pressure, threat or coercion and the same is genuine.

The statement of complainant-respondent no.2, namely, Mukhtiar Singh son of Kehar Singh, reads as under:-

“Stated that on 1.11.2014 a compromise has been effected between me and the accused persons of the above said case. The compromise has been reduced into writing. I have seen the original compromise dated 1.11.2014. I identify my signatures on both the pages of this compromise. Photocopy of the first page of the compromise is Ex.C1 and second page of the same is Ex.C2. I have no objection if the FIR be quashed according to the contents of compromise dated 1.11.2014. I have entered into the compromise with my own free will and without any pressure.

Sd/-

RO & AC
Sd/- Mukhtiar Singh

(Tarunpreet Singh)
JMJC/Jgn 17.07.2015”

Learned counsel for the State does not dispute the factum of compromise entered between the parties.

Apart from the statement of the complainant, whereby he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings

in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.185 dated 10.10.2010, under Sections 447/448/380/506/120-B/452 IPC, registered at Police Station Raikot, District Ludhiana (Annexure P-1) and all the subsequent proceedings arising therefrom are quashed, qua the petitioners, in view of the compromise dated 01.11.2014 (Annexure P-2).

October 09, 2015
Anjal

(HARI PAL VERMA)
JUDGE